

IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

FILED IN OPEN COURT
DATE 4-27-18
BY [Signature]
DEPUTY CLERK
Beane

UNITED STATES OF AMERICA :
 :
v. : Case No. 7:17CR00058
 :
JEFFREY RYAN FLACK :

STATEMENT OF FACTS

This Statement of Facts briefly summarizes the facts and circumstances surrounding the criminal conduct of the defendant, Jeffrey Flack, which is at issue in this case. It does not contain all of the information obtained during the investigation and applicable to an accurate Presentence Investigation Report and Sentencing Guidelines calculation. The conduct described below occurred within the Western District of Virginia, and elsewhere.

This Statement of Facts is not protected by proffer agreement or any other agreement, and shall be wholly admissible at trial notwithstanding any Rules or statutes to the contrary, including, but not limited to, Federal Rules of Evidence 408 and 410 and Federal Rule of Criminal Procedure 11.

On January 30, 2017, FBI-Philadelphia executed a federal search warrant at the residence of Grant Shea. During the search, a Samsung Galaxy S4 was seized and its contents were reviewed in accordance with the warrant. A review of the cell phone showed that Shea was using the Kik app to communicate with numerous other accounts about child pornography. Specifically, one conversation showed that Shea was exchanging child pornography with Kik user "freakndasheetz666" between December 28, 2016 and January 28, 2017. As part of this ongoing Kik conversation, "freakndasheetz666" stated that he had no limits on how young of kids he likes, and he said that he had a sexual encounter with a five year old and his father. A review of the images and videos exchanged during this ongoing Kik conversation showed that nine videos were sent to Shea by "freakndasheetz666" on or about December 28, 2016. For example, the videos show: 1) an adult penis penetrating a prepubescent child; 2) a prepubescent boy performing oral sex on an adult male and later the adult male anally penetrating the child; and 3) a prepubescent boy masturbating.

Law enforcement conducted an investigation to determine who operated the Kik account in the name "freakndasheetz666." The investigation led to a Jeffrey Flack who was living at 200 Robey Street, Apt. S, Radford, VA. A federal search warrant was obtained for the residence.

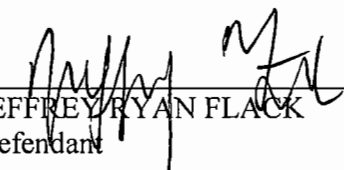
The search warrant was executed on April 10, 2017. Prior to the execution of the search, SA Dodge and Radford PD Det. Andy Wilburn made contact with Jeff Flack. Flack was not arrested; however, he was provided with his rights and he signed a form waiving his rights. Flack engaged in a post-Miranda interview with SA Dodge and Det. Wilburn. At first, Flack began answering questions about how he used the internet. Flack admitted that he used the Galaxy Edge Phone and his other phone. Flack stated that he used the Kik app, and he last used it about a year ago. He stated that he was not that big on using it now. Flack provided the agents with his password and stated that SHENTEL was his internet provider. Flack also stated that he was the only one he knew of that had the password for his internet. Flack further stated that he started by entering a chatroom on Google Play. Flack also admitted that he had been trading child pornography with a guy in Philadelphia. Flack admitted that he exchanged child pornography via the Kik app and another app called "telegram." Flack stated that he had not been trading for a few months.

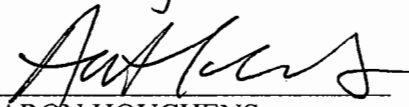
During the search, law enforcement seized two cell phones and a tablet from Flack's residence. Child pornography was found on Flack's cell phone devices. As set forth in the plea agreement, the parties stipulate that the offense(s) involved the use of a computer, the material involved a prepubescent minor or minors, and that the offense(s) involved 600 or more images.

I have reviewed the above Statement of Facts with my attorney and I agree that it is true and accurate. I agree that had this matter proceeded to trial, the United States would have proven the facts outlined above beyond a reasonable doubt.

4-21-18
Date

4-21-18
Date


JEFFREY RYAN FLACK
Defendant


AARON HOUCHENS
Attorney for Defendant